

EXAMINER'S AMENDMENT

1. Claims 1-6, 10, and 16-24 are allowable. The restriction requirement, as set forth in the Office action mailed on 1/23/2009, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claim 11, directed to a method for producing a heat-shrinkable polyester film is no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim. However, claims 12-15, directed to a polyester film are still withdrawn from consideration because they do not meet the requirement of all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interviews with Ms. Qi Zhao on 3/22/2011 and 3/28/2011.

The application has been amended as follows:

- (a) In claims 1-6, 10-11, delete the word "type" in all occurrences.
- (b) In claim 1, further delete "a higher alcohol type polymer" in lines 9-10;
- (c) In claim 11, line 2, "according to claim 7" has been changed to --according to claim 1--;
- (d) Claims 12-15 have been cancelled.

Allowable Subject Matter

- 3. Claims 1-6, 10-11, and 16-24 are allowed.
- 4. The following is an examiner's statement of reasons for allowance: no prior art has been found to teach, disclose, or fairly suggest a heat-shrinkable polyester film, comprising an easily slipping layer, wherein the deposition amount of the easily slipping layer is 0.002 to 0.02 g/m², which contains a lubricant component of 10-60% by weight provided on the easily slipping face; in combination with all of the other limitations in claim 1. The examiner is relying on Applicants' arguments throughout the Remarks as the basis for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao T. Tran whose telephone number is 571-272-1080. The examiner can normally be reached on Monday-Friday, from 9:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thao T. Tran/
Primary Examiner, Art Unit 1787